

AG Contract No. KR96 1160TRN  
ADOT ECS File No. JPA 96-68  
Project: P4896 04P  
Section: SR-169 Access Control  
Study

**INTERGOVERNMENTAL AGREEMENT**  
**BETWEEN**  
**THE STATE OF ARIZONA**  
**AND**  
**YAVAPAI COUNTY, ARIZONA**

THIS AGREEMENT is entered into 23 JULY, 1996,  
pursuant to Arizona Revised Statutes, Sections 11-951 through 11-  
954, as amended, between the STATE OF ARIZONA, acting by and  
through its DEPARTMENT OF TRANSPORTATION (the "State") and  
YAVAPAI COUNTY, ARIZONA, acting by and through its BOARD OF  
SUPERVISORS (the "County").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes  
Section 28-108 to enter into this agreement and has by  
resolution, a copy of which is attached hereto and made a part  
hereof, resolved to enter into this agreement and has delegated  
to the undersigned the authority to execute this agreement on  
behalf of the State.

2. The County is empowered by Arizona Revised Statutes  
Section 11-251 to enter into this agreement and has by  
resolution, a copy of which is attached hereto and made a part  
hereof, resolved to enter into this agreement and has authorized  
the undersigned to execute this agreement on behalf of the  
County.

3, The State and the County desire to participate in a  
Access Control Study on SR-169, at an estimated cost of  
\$35,000.00, all at County expense, for the safety and benefit of  
the motoring public.

THEREFORE, in consideration of the mutual agreements expressed  
herein, it is agreed as follows:

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NO. <u>20887</u>
FILED WITH SECRETARY OF STATE
Date Filed <u>07/23/96</u>
<u>Jane Lee Hull</u> Secretary of State
By <u>Vicky Greenwood</u>

## II. SCOPE OF WORK

### 1. The State will:

a. Be the lead agency for the Study. Participate with the County on a technical advisory committee, and provide such data as is reasonably available to aid in the Study.

b. Accomplish the Study generally in accordance with Exhibit A, which is attached hereto and made a part hereof.. Provide copies of consultant project report(s) and incorporate County review comments, and provide a final Study report to the County.

c. Via certified US mail, invoice the County for the total cost of the study, but not to exceed the amount of \$35,000.00.

### 2. The County will:

a. Review consultant project report(s) and provide comments to the State or the consultant as appropriate.

b. Within 30 days after receipt of an invoice, remit via certified us mail to the State \$35,000.00 as the cost of the Study.

## III. MISCELLANEOUS PROVISIONS

1. This agreement shall remain in force and effect until completion of said Project and payment; provided, however, that this agreement may be cancelled at any time prior to the commencement of performance of any of the terms of this agreement, upon thirty (30) days written notice to the other party.

2. This agreement shall become effective upon filing with the Secretary of State.

3. This agreement may be cancelled in accordance with Arizona Revised Statutes Section 38-511.

4. The provisions of Arizona Revised Statutes Section 35-214 are applicable to this contract.

5. In the event of any controversy which may arise out of this agreement, the parties hereto agree to abide by required arbitration as is set forth for public works contracts in Arizona Revised Statutes Section 12-1518.

6. All notices or demands upon any party to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Arizona Department of Transportation  
Joint Project Administration  
205 South 17 Avenue, Mail Drop 616E  
Phoenix, AZ 85007

Yavapai County  
County Administrator  
255 E. Gurley Street  
Prescott, AZ 86301

7. Attached hereto and incorporated herein is the written determination of each party's legal counsel that the parties are authorized under the laws of this state to enter into this agreement and that the agreement is in proper form.

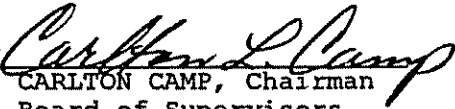
IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

YAVAPAI COUNTY, ARIZONA


STATE OF ARIZONA

Department of Transportation

By

  
CARLTON CAMP, Chairman  
Board of Supervisors

By

  
JAY KLAGGE, Director  
Transportation Planning

ATTEST

By

  
BEV STADDON  
Clerk of the Board

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## **STATE ROUTE 169 ACCESS CONTROL STUDY SCOPE OF WORK**

The consultant will conduct an access control study for State Route (S.R.) 169 between S.R. 69 and I-17. The primary products of the study will be an access management plan for S.R. 169 and policies and guidelines for maintaining controlled access along S.R. 169. The consultant team will work closely with the Technical Advisory Committee (TAC) and other stakeholders to ensure an overall team approach to the study. The TAC will be comprised of members from ADOT and Yavapai County.

The primary study products will be the following: 1) an access management plan for S.R. 169; and 2) a report on the policies for controlling access on S.R. 169.

### **WORK SCOPE**

The following elements should be addressed in the work scope:

#### **Task 1. Refine Scope of Work**

Product: Refined Scope of Work and Schedule

The consultant will work with the Technical Advisory Committee and will revise the project scope of work to meet the needs of the study and the concerns of the committee members. The schedule will be revised based on the refined scope of work.

#### **Task 2. Public Involvement and Coordination**

Product: Coordination meetings  
Two public meetings

The consultant will coordinate the study with Yavapai County, National Forest Service, major property owners, and key individuals in the Dewey Area. Also, the consultant will coordinate the study with other studies such as the Fain Road relocation and S.R. 69 Community Plan. Two public meetings will be held in the Dewey area: one early in the study and one later in the study when recommendations are prepared. After each series of public meetings the consultant will provide to the TAC a public involvement / coordination status report.

- A. Publish project newsletters to describe study progress, summarize current activities, report key findings and announce upcoming public involvement events. Each newsletter will be distributed to relevant Indian communities, counties, cities, towns, transit providers, public interest groups, interested individuals and the media.
- B. Prepare and issue press releases.
- C. Meet with interested groups or individual concerning Access Management Study.
- D. Hold Open Houses/Community Workshops.
- E. Hold Public Hearings for Access Management Study.

- F. Maintain a detailed record of all public comments received (written or oral) and ADOT responses, including actions taken to address specific comments. Publish this record as an Appendix to the Final Report.

### **Task 3. Analyze Policies for Controlled Access on S.R. 169**

Product: Feasibility Report

This task will analyze policies for controlling access on S.R. 169 between S.R. 69 and I-17. The analysis will analyze what would be required by ADOT and local governments to implement control options on S.R. 169 including various levels of access control ranging from a low level of control to full access control. The possible types of facilities would include the existing two-lane facility, a four-lane arterial with a continuous turning lane, a four-lane divided arterial, or a four-lane freeway.

#### *Subtask 3.1. Inventory Existing Conditions*

This task will document the existing multimodal transportation conditions. The available environmental data in GIS format will be documented for a four-mile strip, two miles on each side of the roadway alignments. The roadway inventory data will be documented for a 500-foot strip 250 feet on each side the roadway alignments. All work will be conducted in Metric; however, data will be displayed and reported in both English and Metric. The roadway and environmental inventory will include the following information:

- Planning and transportation studies
- Socioeconomic conditions
- Physical and natural conditions
- Transportation conditions
- Programmed improvements
- Public and private land ownership
- County parcel data
- Existing ADOT right-of-way

The responsibility for this task will be shared between the consultant, ADOT, and Yavapai County. Table 1 presents the existing data to be provided to the consultant by various agencies. At the outset of the project, the consultant will meet with the ADOT Project Administrator and members of the TAC to discuss data sources and schedules for collecting data. The consultant will contact Yavapai County to obtain the most recent GIS coverages including parcel coverages if available. Information provided by ADOT will be supplemented with databases previously developed for the Central Yavapai County Transportation Study. In addition, 48-hour traffic

counts will be taken at two locations. The consultant will use ARC/INFO GIS for analysis and display. The inventory will be documented in the final report.

### *Subtask 3.2. Identify Issues, Policies and Measures for Controlled Access*

The consultant will identify major issues, policies, and measures for controlling access along S.R. 169 including the following:

- Partial access control
- Full limited access (max spacing, recommended spacing)
- Cross-streets and bridge crossings
  - \* Spacing
  - \* Right-of-way needs
- Arterial street system of adjacent property
- Intersection and interchange location and spacing
  - \* I-17 interchange
  - \* S.R. 69 interchange
  - \* Fain Road interchange
- Cross-section
  - \* Lanes
  - \* Shoulder
  - \* Pavement type

### *Subtask 3.3. Implementation Guidelines*

The consultant will prepare general implementation guidelines for the control of access along S.R. 169 as new development occurs. These guidelines will provide ADOT and the County with a mechanism to coordinate adjacent residential and commercial development with the development of S.R. 169.

**TABLE 1. INVENTORY DATA TO BE PROVIDED TO THE CONSULTANT**

<b>Data Element</b>	<b>Sources</b>
Transportation Studies	ADOT, County
Land Use Studies and Development Proposals	County
GIS Coverages for Street Centerline and Parcels	County
Aerial Photography	ADOT
Road Inventory Data	ADOT, County
Pavement and Bridge Condition Data	ADOT
Right-of-way Data	ADOT, County, Forest Service
Traffic Counts and Vehicle Classification	Consultant
Accident Data	ADOT
Environmental GIS Coverages	ADOT
Environmental Data	U.S. Fish and Wildlife Service, National Forest Service, National Park Service
Historic Resources	National Park Service, County

The guidelines will include the following:

Adjacent development guidelines

- \* Access measures to be considered by Area and Specific Plans
- \* Control access at a specified minimum spacing
- \* Control right-of-way of cross-streets to permit future overpasses
- \* Design of parallel roadway systems including split alignments

Future right-of-way needs and acquisition guidelines

Phasing considerations for S.R. 169

- \* Existing two-lane arterial
- \* Four-lane divided arterial
- \* Four-lane freeway

*Subtask 3.4. Identify Legal and Administrative Constraints*

The consultant will review and document the legal and administrative constraints to controlling access along S.R. 169. The Arizona Revised Statutes (A.R.S) and Yavapai County ordinances will be reviewed to identify existing legislative issues and legislative constraints. Local and ADOT government officials will be interviewed to identify problem areas with the current administrative environment. A literature search will be conducted to identify how other states,

regional governments, and local agencies have approached similar issues. Potential solutions will be addressed.

□The issues to be considered will include, but not necessarily be limited to the following:

- Individual property rights
- Advanced right-of-way acquisition
- Intergovernmental cooperation on access control
- Administrative procedures required to implement access control on S.R. 169
- Potential tradeoff issues of state and county facilities
- Constraints on shared funding and potential innovative financing

### *Subtask 3.5. Document Policies*

A draft final report for review and comment will be submitted to the TAC. The consultant will prepare a final report on the policies for controlling access and an action plan for implementing the policies along S.R. 169. The final report will document the inventory of existing conditions, major issues, the general guidelines for controlling access, and specific steps and planning studies which would be required. An action plan with specific tasks, responsibilities, and schedule will be prepared for implementing the policies. All study products will be formatted using Microsoft Windows: Word, Excel, and Power Point, and GIS products will be formatted in ArcInfo for PC's. Products will be submitted in hard copy and 3.5 inch floppy diskettes.

## **Task 4. Prepare Access Management Study**

Product: S.R. 169 Access Management Plan

This task will prepare an access management study for S.R. 169 from the intersection with S.R. 69 to I-17. The study will be coordinated with Yavapai County, National Forest Service, and the ADOT Engineering District. The objective of the study is to prepare a management plan to maximize road capacity and safety as the adjacent property develops.

The study will be based on the following access control principles:

- Control of adjacent use
- Minimize the number of access points
- Minimize vehicle, pedestrian, and bicycle conflicts
- Allow for safe lane changes and speed transitions
- Provide for the smooth transition of traffic from one roadway to another
- Provide for uniform speed on the primary facility

The development of the access management study will consider a variety of control measures including the following:

- Control of projected land use
- Control of the number of access points and access point spacing
- Turning lanes and lane channelization



Traffic signalization  
Potential grade separations  
Use of frontage roadways  
Realignment of intersections  
Circulation guidelines for new development

The consultant will prepare a draft final plan. The plan will be submitted to ADOT and Yavapai County for review and will be revised accordingly. A final access management plan will be prepared documenting the access control measures and the access control guidelines.

## **PROJECT ADMINISTRATION**

The project administrator for the Study is Jack Shambaugh, a Planner in the Transportation Planning Group at ADOT. He can be reached at (602) 255-8141. He will be assisted by other members of ADOT in the selection of the consultant team.

## **TERMS OF AGREEMENT AND FUNDING LIMITATIONS**

Once the consultant is selected, the project should be completed within 6 months. ADOT has an estimated budget of \$31,000 for professional services towards completion of this project. Funding is contingent upon the availability of Yavapai County funds.


## **METHOD OF PAYMENT**

The payments to the consultant will be based on monthly progress billings. The consultant must provide an itemized list indicating what tasks were performed and staff hours expended. In addition, ADOT will retain ten (10) percent of the monthly amount billed until the corridor study is completed to the satisfaction of ADOT and Yavapai County. Final payment shall be made as soon as possible after approval and delivery.

RESOLUTION

BE IT RESOLVED on this 10th day of June 1996, that I, the undersigned LARRY S. BONINE, as Director of the Arizona Department of Transportation, have determined that it is in the best interests of the State of Arizona that the Department of Transportation, acting by and through the Highways Division, to enter into an agreement with Yavapai County for the purpose of defining responsibilities to accomplish an access study or SR-169, all at County expense.

Therefore, authorization is hereby granted to draft said agreement which, upon completion, shall be submitted to the Director, Transportation Planning for approval and execution.

  
for LARRY S. BONINE  
Director

**CERTIFIED COPY OF ENTRY IN OFFICIAL MINUTES  
OF THE YAVAPAI COUNTY BOARD OF SUPERVISORS**

YAVAPAI COUNTY            )  
                                      ) ss.  
ARIZONA                    )

Bev Staddon, having been first duly sworn, deposes and says:

I am the duly appointed, qualified and acting Clerk of the Yavapai County Board of Supervisors and in such capacity under the provisions of ARS §11-241 am charged with the responsibilities, among others, of recording all proceedings of the Board and maintaining custody of such records of the Board as are required by law to be maintained. Among the records of which I have custody is the official minute book of the Board of Supervisors which under the provisions of ARS §11-217 is required to be made and kept.

Set forth below is a copy of an entry in the aforesaid minute book of which, as aforesaid, I am the officer having the legal custody. This is my certificate under the provisions of Rule 44(A), Rules of Civil Procedure, and the Uniform Business Records Act, that the said copy is a true and correct copy thereof, to which I attest by my signature subscribed hereunto:

Date of meeting of which the minutes are a record:   June 3, 1996.


The entry in the said minutes:

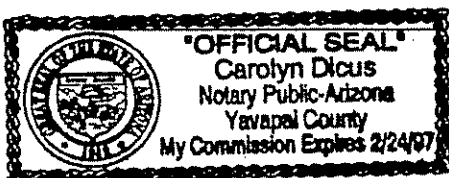
Public Works Director Richard Straub appeared before the Board to request expansion of the existing proposed Regional Road Program for 1996-97 for the Highway 89 Transportation Study to include State Route 169-ADOT Study. He told the Board that he currently had \$60,000 proposed for the Highway 89 Transportation Study during the 1996-97 fiscal year, and that ADOT had requested the County's assistance in its current access control study on State Route 169. He told the Board that this study would compliment the County's overall Regional Road Construction Program and that of the \$60,000 proposed for the next fiscal year, up to \$35, 000 would need to be allocated for the State Route 169 Study. Upon a motion by Supervisor Feldmeier, seconded by Supervisor Brownlow, and with no comments from the public, the Board voted unanimously to approve this request.

  
Bev Staddon, Clerk

SUBSCRIBED AND SWORN to before me June 17, 19 96.

My Commission Expires:


  
Notary Public



APPROVAL OF THE YAVAPAI COUNTY ATTORNEY

I have reviewed the above referenced proposed intergovernmental agreement, between the DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION, and YAVAPAI COUNTY and declare this agreement to be in proper form and within the powers and authority granted to the County under the laws of the State of Arizona.

DATED this 2d. day of July, 1996.

  
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County Attorney



STATE OF ARIZONA

OFFICE OF THE ATTORNEY GENERAL

1275 WEST WASHINGTON, PHOENIX 85007-2926

TRN Main: 542-1680

Direct: 542-8837

Fax: 542-3646

MAIN PHONE: 542-5025

TELECOPIER : 542-4085

GRANT WOODS  
ATTORNEY GENERAL

### INTERGOVERNMENTAL AGREEMENT DETERMINATION

A.G. Contract No. KR96-1160-TRN, an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED this 16th day of July, 1996.

GRANT WOODS  
Attorney General

A handwritten signature in black ink, appearing to read "James R. Redpath", is written over a horizontal line.

JAMES R. REDPATH  
Assistant Attorney General  
Transportation Section

JRR:lsr  
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